

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE:  
LILLIAM LEONOR LINARES FUENTES

CASE NO. 11-05316-ESL

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT  
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.** Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$11,820.00 R2016 STM. \$3,000.00**

<b>TOTAL ATTORNEYS FEES THRU PLAN: \$2,854.00 Fees paid: \$0.00 Fees Outstanding: \$2,854.00</b>
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With respect to the proposed (amended) Plan dated: **June 24, 2011** (Dkt 2). Plan Base: **18,000.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Insufficiently Funded : Fails CREDITORS' BEST INTEREST TEST [§1325(a)(4)]

- Feasibility [§1325(a)(6)]

Debtor submitted a comparable of sales of the property located in Gurabo, Puerto Rico with a proposed approximate value of \$95,156.00 (vs the \$73,973.00 proposed value listed in Schedule A). Taking into consideration the \$95,156.00 value, the case's liquidation value would increase to \$21,355.00 and the minimum base needed would total \$35,500.00. Debtor must submit evidence of the value of the property in question and or amend Schedule A to increase the value to \$95,156.00 as per comparable of sales produced. Taking into consideration the originally listed value (\$73,973.00) the minimum base needed would total \$23,100.00.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same .

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this September 14, 2011.

/s/ Nannette Godreau -Staff Attorney

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